

Resolving Disputes Between Consumers And Businesses

調停消費者與經營者之間的糾紛



The Council seeks redress for consumers by means of conciliation, by which disputes are resolved between consumers and traders by mutually acceptable agreements. Information gathered from complaints helps to facilitate the issuing of timely alerts to the public about malpractices of traders while also enabling law enforcement agencies to take relevant action.

消委會致力調停消費者與經營者的糾紛，以求達致雙方滿意的和解方案。由消費者投訴個案中所獲得的資料，不但有助本會適時向公眾發出有關不良營商手法的消費警示，亦可促使有關執法部門採取適當行動。

Complaints and Enquiries Received

Complaints and enquiries are received by telephone, fax, in writing or via the internet. During the year, 88% of enquiries were received by telephone, while 49% of complaints were lodged in writing or via the internet. Disputes between traders and consumers were handled by means of conciliation.

Consumer Complaints Statistics

During the year, the Council received a total of 115,117 enquiries and 31,334 consumer complaints. This represented a significant increase of 16% in the number of complaint cases compared to 26,955 in 2012-13. (See Fig.1-3)

Although the Council is not a law enforcement agency with investigative powers, the Council helped resolve 74% of cases with pursuable grounds in 2013-14. (See Fig.4) For cases where traders refused to settle or offer redress, the complainants were advised to seek redress via other channels or by means of civil action.

投訴及諮詢

本會透過電話、傳真、書信及互聯網接受消費者的諮詢及投訴。本年度接獲的諮詢，88%來自電話；投訴個案則有49%來自書信或互聯網。消費者及商號之間的糾紛是以調停方式處理。

消費投訴統計

年內，本會共接獲115,117宗消費諮詢及31,334宗消費投訴。相對2012-13年度所接獲之26,955宗投訴個案，升幅達16%。(見圖一至圖三)

雖然本會並非賦予調查權的執法部門，2013-14年度有74%的個案經本會調停獲得解決。(見圖四)對於商號拒絕協商或和解的個案，本會建議投訴人考慮，循其他途徑解決或提出民事訴訟。

Consumers can make a complaint or enquiry by calling the Consumer Complaint and Enquiry Hotline (2929 2222), by visiting any one of the seven Consumer Advice Centres⁶ in person during office hours, by post, by fax, or via the Council's website. 消費者可致電本會投訴及諮詢熱線 (2929 2222)，或透過郵寄、傳真或網頁作出投訴或諮詢，亦可於辦公時間親臨七個消費者諮詢中心。⁶



⁶ See Appendix 6 for the contact information of Consumer Advice Centres. 消費者諮詢中心的聯絡資料見附錄六。

Fig.1 Number of Complaints Received in the Past 3 Years

圖一：過去三年接獲的投訴數字

Year 年份	2011-12	2012-13	2013-14
Total number of complaints 投訴個案總數	27,509	26,955	31,334

Fig.2 Top Ten Consumer Complaints in 2013-14

圖二：2013-14年度首十位消費投訴

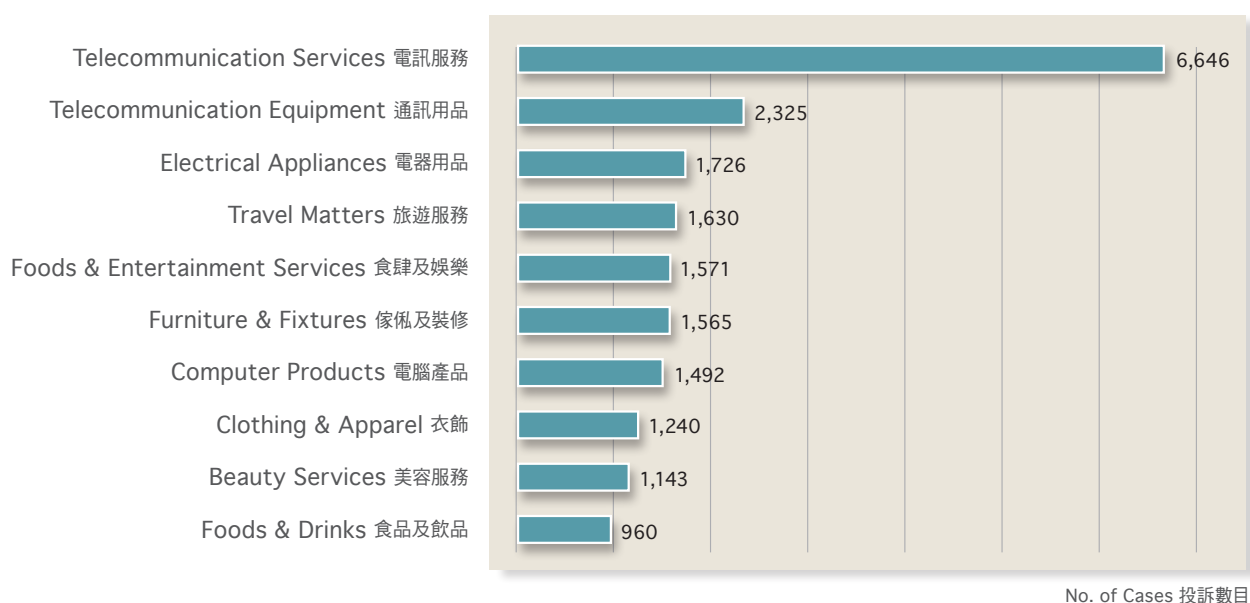


Fig.3 Nature of Consumer Complaints in 2013-14

圖三：2013-14年度投訴性質

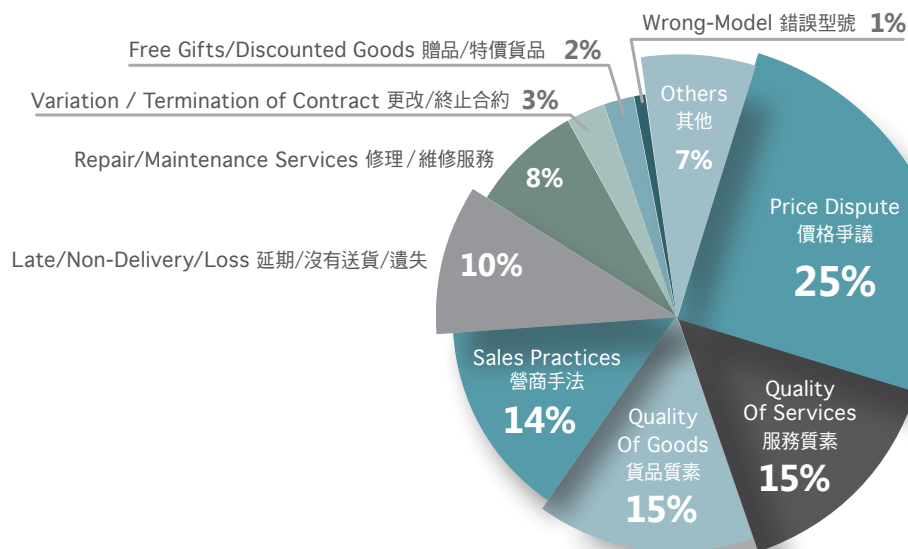


Fig.4 Resolution Rate of Cases with Pursuable Grounds in 2013-14

圖四：2013-14年度調停成功率

Total number of cases received 投訴總數	31,334
No. of cases with pursuable grounds 可跟進的投訴個案	24,136
No. of cases in progress 仍在跟進中的個案	2,641
No. of cases resolved 獲得解決的個案	15,893
Resolution rate 調停成功率	74%

Top Five Consumer Complaints 首五位消費投訴

1 Telecommunication Services

Complaints concerning telecommunication services remained high with 6,646 cases, representing a 3% increase compared to 2012-13. The bulk of the complaints were related to disputes concerning fees and charges (59%) and the quality of services (18%).

2 Telecommunication Equipment

Complaints relating to telecommunication equipment rose 13% to 2,325 cases during the year. These complaints were overwhelmingly related to mobile handsets with 2,122 cases. These mainly concerned issues of repair and maintenance (966 cases) and quality of goods (671 cases).

3 Electrical Appliances

Electrical appliances have routinely attracted high numbers of consumer complaints, with 1,726 cases during the year representing a 16% increase over the previous year. Issues regarding quality of goods (39%) and repair and maintenance (32%) attracted the highest number of complaints within this category.

4 Travel Services

Disputes arising from the purchase and use of travel services, relating to air tickets, airline services, tours and hotel bookings, witnessed a significant rise from 981 cases in 2012-13 to 1,630 cases this year, representing an increase of 66%.

1 電訊服務

有關電訊服務的投訴仍居榜首，共錄得6,646宗，較2012-13年上升3%。大部份投訴與收費有關（59%），涉及服務質素的投訴佔18%。

2 通訊器材

年內有關通訊器材的個案共有2,325宗，比去年增加13%，當中大部份涉及手提電話的共有2,122宗投訴，主要針對修理及維修服務（966宗）及產品質素（671宗）。

3 電器產品

電器產品屬消費者經常投訴的項目，年內錄得1,726宗，較上年度上升16%。投訴主要涉及產品質素（39%）及修理及維修服務（32%）。

4 旅遊服務

本年度有關旅遊服務的投訴，升幅較去年高達66%，由2012-13的981宗上升至1,630宗。投訴性質主要與購買及使用旅遊相關服務有關，包括機票、航空公司服務、旅行團及酒店預訂。

5 Food And Entertainment Services

The number of complaints in relation to food and entertainment services dropped to 1,571 from 2,092 in 2012-13. However, setting aside the large number of complaints received in 2012-13 against non-redeemable dining coupons sold by a now defunct online group purchase company, the complaints in this category actually increased by 84% in 2013-14. Service quality (425 cases), charge disputes (366 cases) and sales practices (255 cases) were the major areas of customer dissatisfaction within this category.

5 食肆及娛樂服務

有關食肆及娛樂服務的投訴由2012-13年的2,092宗下跌至本年度1,571宗。不過，由於上年度有許多個案是針對一間現已倒閉的網上團購公司，指該公司所發售的餐飲券無法兌現，在剔除該些個案後，本年度有關食肆及娛樂服務的投訴實際有84%的升幅。主要引起消費者不滿的地方包括服務質素（425宗）、價格爭議（366宗）及銷售手法（255宗）。

Trends of Consumer Complaints 消費投訴的趨勢

Increasing Awareness on Sales Practices

The surge in the total number of complaints could be attributed to mounting public awareness concerning unfair trade practices in the wake of the enactment of the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012, and the publicity campaign which followed. Following the publicity campaign, enquiries and complaints in relation to trade practices subsequently increased. The publicity campaign was jointly launched by the Consumer Council, the Customs and Excise Department and the Communications Authority.

Further collaborations were found in the Council's referral of cases with allegations of unfair trade practices to these two law enforcement agencies where appropriate.

有關銷售手法的認知提升

本年度投訴數字上升的主要原因或與消費者對不良營商手法的認知度上升有關，隨著《2012年商品說明（不良銷售手法）（修訂）條例》的推行，及其後推出的宣傳活動，加深了消費者對不良營商手法的認識，令有關不良營商手法的消費諮詢及投訴都隨之而上升。推廣宣傳活動乃由本會聯同香港海關及通訊事務管理局舉辦。

本會同時亦與上述執法機構進一步協作，在適當時候，將涉嫌不良銷售手法的投訴個案，轉介給它們處理。



The Council releases complaint statistics from time to time to warn public about shopping traps.

消委會不時公布投訴數字，讓公眾對消費陷阱加以警惕。

Steep Rise in Complaints against Travel Services

During 2013-14, there was a steep increase in grievances against services within the travel industry. The category of Travel Services recorded the highest increase amongst all statistical categories, with a jump of 66% or 1,630 cases during the year.

Of these the majority, 60% or 985 cases, related to airline services and ticketing problems following an increased use of online booking of airline and hotel services. This trend has given rise to consumer dissatisfaction concerning the quality of cabin service and online bookings of hotel services.

Tourist Complaints on the Rise

An increase in the number of complaints from tourists coincided with a surge in tourist arrivals. The Council received a total of 2,934 complaints from tourists during 2013-14, a 30% increase compared to those received during 2012-13.

Complaints by tourists mainly concerned sales practices (34%), quality of goods (22%) and price disputes (17%) in relation to the purchase of medicine, health food, watches and jewellery, photographic equipment and mobile phones.

The majority of the tourist complaints were lodged by visitors from Mainland China (2,381 cases). As for tourists from other countries, their complaints mainly involved the quality of goods and services as well as price disputes concerning purchases of cameras, computer products and hotel accommodation.

Disputes on Internet Shopping Prevail

Increased shopping activity and group purchases over the internet led to 3,552 complaints concerning online transactions, an increase of 9% from 2012-13. Late or non-delivery of goods (39%), price disputes (15%) and sales practices (11%) were the main issues covered by these complaints.

旅遊服務投訴大幅增長

觀乎2013-14年度所有投訴個案的類別，有關旅遊業服務的投訴錄得的升幅最高（66%），總共1,630宗。

當中佔大多數的，60%（985宗）與航空公司的服務及票務問題有關，數字顯示消費者透過互聯網預訂機票及酒店的趨勢上升。這個趨勢也帶動了消費者對機艙服務以及網上訂購酒店服務質素的投訴。

旅客投訴上升

有關旅客的投訴隨著訪港旅客數字同步增加。本年度共接獲2,934宗來自旅客的投訴，較上一年度上升30%。

訪港旅客的投訴類別主要來自購買藥品、保健食品、手錶及珠寶、攝影器材及手提電話，性質涉及銷售手法（34%），其次是產品質素（22%）及價格爭議（17%）。

大部份旅客的投訴來自內地的旅客（2,381宗）。至於來自其他地方的旅客，其投訴主要涉及與攝影器材、電腦產品及酒店住宿有關的產品或服務質素及價格爭議。

網上購物糾紛持續上升

網上購物及團購活動普及帶動相關投訴上升，本年度共錄得3,552宗涉及網上交易的投訴，較上一年度上升9%。個案中以投訴商戶延遲或沒有交付產品（39%）的比例最高，其次是價格爭議（15%）及銷售手法（11%）。

Naming of Malpractice Traders

During the year, a travel club was named for persistent failures in honouring an offer of free hotel accommodation after 75 complaints were received by the Council during 2013.⁷ The objective of the action undertaken in January 2014 was not only to expose the malpractice of the trader, but also to alert potential consumers about the risks of telemarketing.

Consumers were advised to exercise caution before providing any personal details and credit card information to telemarketers.

Enhancing Understanding of Complaints Handling

To help the public gain a better understanding of the complaints handling and conciliation process, the Council participated in the first Hong Kong Mediation Week (20-27 March), which was organised by the Department of Justice.

As one of the supporting organisations participating in the Open Day at the Financial Dispute Resolution Centre, the Council's booth received and interacted with more than 200 visitors. The visitors experienced how mediation skills were applied in the handling of consumer complaints, while they also had their enquiries concerning a variety of consumer issues answered.

點名公布不良商店

本會於2013年共接獲75宗有關一間銷售旅遊會籍公司的投訴，該公司以免費酒店住宿作招徠，吸引顧客購買會籍，結果持續地不能兌現承諾。⁷ 因此，本會於2014年1月公開點名譴責該旅遊會籍公司。此舉目的除了為公開該公司的不良營商手法，同時亦是希望提醒消費者有關電話推銷的潛在風險。

消費者如要向電話推銷員提供個人資料及信用卡資料，應格外小心。

提升消費者對處理投訴的認識

為了提升消費者對投訴處理及調停過程的認識，本會參與由香港律政司舉辦的第一屆「香港調解週」活動(3月20-27日)。

本會亦是金融調解中心開放日的其中一個參與團體，當日，本會設立的攤位共接待了大約200位訪客。訪客可藉此了解本會如何使用調解技巧處理消費糾紛，本會同事亦即場解答訪客的消費問題。

Consumer Council Vice-Chairman Mr. Philip LEUNG showed the coupons that were marketed by the named trader at the press conference.

消委會副主席梁光漢先生在新聞發布會展示被點名商號向客戶推銷的會籍套票。



The Council set up a booth at the Financial Dispute Resolution Centre during Hong Kong Mediation Week, explaining to members of the public on how consumer complaints are handled.

消委會於「香港調解週」期間，在金融調解中心擺設攤位，向市民講解如何處理消費投訴。



⁷ See Appendix 7 for details of the named trader.
點名公布的不良店舖參見附錄七。